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10/573,031

01/30/2007

Mike Soumokil

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EXAMINER

ANDERSON, JOHN A

ART UNIT

PAPER NUMBER

3694

MAIL DATE

DELIVERY MODE

04/07/2011

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

| | | | |
|------------------------------|--------------------------------------|---------------------------------------|--|
| Office Action Summary | Application No. 10/573,031 | Applicant(s) SOUMOKIL, MIKE | |
| | Examiner JOHN A. ANDERSON | Art Unit 3694 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 February 2011.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 30,31,36,38,40,41,45 and 49-55 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 30,31,36,38,40,41,45 and 49-55 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. In the amendment filed 02/14/2011, Claims 20, 31, 36, 38, 40-41, 45, 49-55 are pending and are presented for examination

Information Disclosure Statement

2. The information disclosure statement dated 03/22/2006 and 06/16/2010 have been considered.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:
A person shall be entitled to a patent unless –
(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

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4. Claims 30-31, 40, 51-55 are rejected under 35 U.S.C. 102(e) as being anticipated by Brown j (PGPub 2010/0023452).
5. As regards claims 30, 54 and 55, Brown j discloses (Currently Amended) a method for processing invoices, the method being performed by a computer and comprising:
selecting, from a plurality of electronic-invoice records, by using a processor of the computer, invoices which are due within a pre-selectable time or on a pre-selectable date [0066]

assigning a first state to the selected invoices, wherein the assigned first state includes a first set of characters that are stored in a data field of each selected electronic-invoice record; [0064]

selecting, from the plurality of electronic-invoice records, invoices that satisfy a specified condition; [0064]
assigning a second state to said selected invoices that satisfy the condition, wherein the second assigned state includes a second set of characters that are stored with the first set of characters in the data field of each selected electronic-invoice record; and [0065]
using the first state and the second state to control processing of the invoices.
[0066]
6. As regards claim 31, Brown j discloses (Currently Amended) the method of claim 30, further comprising:
selecting, from said plurality of electronic-invoice records, invoices which meet

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the additional condition that the respective balance is larger than a pre-selectable first value. [0066]

7. As regards claim 40, Brown j discloses (Currently Amended) the method of claim 31, wherein the pre-selectable first value is such that a pre-selectable percentage of outstanding active debts or turnover is controlled. [0066]
8. As regards claim 51, Brown j discloses (Currently Amended) the method of claim 30, further comprising:
receiving a request for a state change of a selected_invoice from a customer; and
changing the state of the invoice according to said request. [0102]
9. As regards claim 52, Brown j discloses (Previously Presented) the method of claim 51, further comprising presenting the request to an internal clearing division before changing the state. [0102]
10. As regards claim 53, Brown j discloses (Previously Presented) the method of claim 30, wherein the method is implemented as part of software for supporting business processes, the software comprising enterprise resource planning software. [0010]

Claim Rejections - 35 USC § 103

11. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

12. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:
 1. Determining the scope and contents of the prior art.
 2. Ascertaining the differences between the prior art and the claims at issue.
 3. Resolving the level of ordinary skill in the pertinent art.
 4. Considering objective evidence present in the application indicating obviousness or nonobviousness.
13. Claims 36,38, are rejected under 35 U.S.C. 103(a) as being unpatentable over Brown j (PGPub 2010/0023452) and further in view of Neely R I (Patent 6044362)
14. As regards claims 36 and 38, Brown j discloses (Currently Amended) the method of claim 31, further comprising:

assigning a third state to the second invoices, the second value being smaller than or equal to the first value, and the third value being smaller than the second value [0065]

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Brown j does not disclose selecting, from said plurality of electronic-invoice records second invoices, a balance of each of which is smaller than a pre-selectable second value and larger than a pre-selectable third value;

Neely discloses selecting, from said plurality of electronic-invoice records second invoices, a balance of each of which is smaller than a pre-selectable second value and larger than a pre-selectable third value; [column 5 lines 10-11]

It would have been obvious for a person of ordinary skill in the art at the time of the invention was made to use Neely in the device of Brown j. The motivation would have been to customer 20 is provided with a number of options for changing the payment instructions to create modified payment instruction 52a. [column 4 line 66-column 5 lines 5]

15. Claim 41, 45 and 49 ,50 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brown j (PGPub 2010/0023452 and in view of Neely R (Patent 6044362) and further view of Kriplani S (Patent 7353203).

16. As regards claim 41, Brown j does not disclose (Previously Presented) the method of claim 38, further comprising:
presenting the invoices of at least one of the first state, the second state, the third state, and the fourth state to a cash collector.

Kriplani discloses presenting the invoices of at least one of the first state, the second state, the third state, and the fourth state to a cash collector. [column 2 lines 46-56]

It would have been obvious for a person of ordinary skill in the art at the time of the invention was made to use Kriplani in the device of Brown j. The motivation would have been to settle disputes regarding payment. [column 2 lines 46-56]

17. As regards claim 45, Brown j does not disclose (Currently Amended) the method claim 41, further comprising:
controlling, by said cash collector, whether payments according to the invoices of at least one of the first state and the second state have been made before, on, or after the due date of each invoice, and, in case of non-payment of an invoice, presenting the non-payment invoices invoice to a collecting service.

Kriplani discloses controlling, by said cash collector, whether payments according to the invoices of at least one of the first state and the second state have been made before, on, or after the due date of each invoice, and, in case of non-payment of an invoice [column 3 line 50-67]

presenting the non-payment invoices invoice to a collecting service.
[column 2 lines 46-56]

It would have been obvious for a person of ordinary skill in the art at the time of the invention was made to use Kriplani in the device of Brown j. The motivation would have been to settle disputes regarding payment. [column 2 lines 46-56]

18. As regards claim 49, Brown j does not disclose (Previously Presented) the method of claim 45, further comprising checking whether a non-payment is

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reasoned, and if the non-payment is not reasoned, presenting such non-payment invoice to an external collecting agency.

Kriplani discloses comprising checking whether a non-payment is reasoned, and if the non-payment is not reasoned, presenting such non-payment invoice to an external collecting agency. [column 2 lines 46-56]

It would have been obvious for a person of ordinary skill in the art at the time of the invention was made to use Kriplani in the device of Brown j. The motivation would have been to settle disputes regarding payment. [column 2 lines 46-56]

19. As regards claim 50, Brown j does not disclose (Previously Presented) the method of claim 45, further comprising presenting the non-payment invoices to the collecting service as a to-do-list.

Kriplani discloses further comprising presenting the non-payment invoices to the collecting service as a to-do-list. [column 4 lines 3-18]

It would have been obvious for a person of ordinary skill in the art at the time of the invention was made to use Kriplani in the device of Brown j. The motivation would have been to settle disputes regarding payment. [column 2 lines 46-56]

Response to Arguments

Applicant's arguments see Remarks, filed 02/14/2011, with respect to Double Patenting Rejections and 35 U.S.C. 103(a) rejections have been fully considered

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and are persuasive. The 35 U.S.C. 103(a) rejection and Double Patenting Rejection of claims 30-31, 36, 38, 40-41, 45, 49-55 have been withdrawn.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JOHN A. ANDERSON whose telephone number is (571)270-3327. The examiner can normally be reached on Monday through Friday 8:00 to 5:00 Pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ella Colbert can be reached on 571-272-6741. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free)? If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

John A Anderson
Examiner
Art Unit 3694

/Ella Colbert/

Primary Examiner, Art Unit 3694

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